

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FIRST LEGISLATURE

**TWENTY-SECOND LEGISLATIVE DAY  
MONDAY, JANUARY 30, 2012**

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 68 members present.  
Absent and excused – Killen, Ringo. Total – 2.  
Total – 70.

Prayer was offered by Pastor Gary Moore.

The Pledge of Allegiance was led by Jakob Goold, Page.

### Approval of Journal

January 30, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Nineteenth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

### Consideration of Messages from the Governor and the Senate

January 27, 2012

Mr. Speaker:

I return herewith [H 355](#) which has passed the Senate.

NOVAK, Secretary

[H 355](#) was referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

January 30, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HCR 30](#), [H 426](#), [H 427](#), [H 428](#), [H 429](#), [H 430](#), [H 431](#), [H 432](#), [H 433](#), [H 434](#), [H 435](#), and [H 436](#).

WILLS, Chairman

[HCR 30](#), [H 427](#), and [H 434](#) were referred to the Business Committee.

[H 426](#) was referred to the Education Committee.

[H 428](#), [H 430](#), and [H 436](#) were referred to the State Affairs Committee.

[H 429](#) and [H 432](#) were referred to the Commerce and Human Resources Committee.

[H 431](#) was referred to the Agricultural Affairs Committee.

[H 433](#) was referred to the Health and Welfare Committee.

[H 435](#) was referred to the Revenue and Taxation Committee.

January 30, 2012

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 417](#) and recommend that it do pass.

LAKE, Chairman

[H 417](#) was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

#### HOUSE BILL NO. 437 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO INCOME TAX CREDITS; AMENDING SECTION 63-3029C, IDAHO CODE, TO PROVIDE AN INCOME TAX CREDIT FOR DONATIONS TO SPECIALIZED NEEDS RECREATION; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

#### HOUSE BILL NO. 438 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO INCOME TAXES; AMENDING SECTION 63-3029B, IDAHO CODE, TO REVISE THE INCOME TAX CREDIT FOR CAPITAL INVESTMENT; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

[H 437](#) and [H 438](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

### Second Reading of Bills and Joint Resolutions

[H 424](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[H 412](#), by Agricultural Affairs Committee, was read the second time by title and filed for third reading.

### Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that [H 366](#), [H 402](#), and [SJR 102](#) retain their places on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

#### [HJM 4](#) - UNITED STATES DISTRICT COURT JUDGES - ADDITIONAL

[HJM 4](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Burgoyne to open debate.

The question being, "Shall [HJM 4](#) be adopted?"

Roll call resulted as follows:

AYES – Anderson, Batt, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Cronin, Ellsworth, Eskridge, Gibbs, Guthrie, Henderson, Higgins, Jaquet, King, Lacey, Lake, Luker, Marriott, McGeachin, Moyle, Nessel, Patrick, Pence, Perry, Raybould, Roberts, Rusche, Schaefer, Shirley, Smith(30), Smith(24), Stevenson, Thayne, Trail, Vander Woude, Wills, Wood(27), Mr. Speaker. Total – 47.

NAYS – Andrus, Barbieri, Barrett, Bateman, Bayer, Crane, DeMordaunt, Hagedorn, Hart, Hartgen, Harwood, Loertscher, McMillan, Nielsen, Nonini, Palmer, Shepherd, Simpson, Sims, Thompson, Wood(35). Total – 21.

Absent and excused – Killen, Ringo. Total – 2.

Total – 70.

Whereupon the Speaker declared [HJM 4](#) adopted and ordered the memorial transmitted to the Senate.

### [S 1224](#) - EDUCATION

[S 1224](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bateman to open debate.

The question being, "Shall [S 1224](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Killen, Ringo. Total – 2.

Total – 70.

Whereupon the Speaker declared that [S 1224](#) passed the House. Title was approved and the bill ordered returned to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

### Adjournment

Mr. Moyle moved that the House adjourn until 11 a.m., Tuesday, January 31, 2012. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:25 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk